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March 15, 2012

**Via ECF**

Honorable Edward Korman  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Desiree Phelan, et al. v. City of New York, et al.**  
**Docket No.: 04 CV 3538**

Dear Judge Korman:

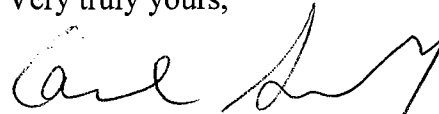
We represent the City Defendants in the captioned action.

The parties are in the process of trying to agree upon an appendix on appeal. Certain of our submissions to this Court were submitted not only under seal, but also with a sealed docket entry. We are advised by the Clerk's office that we need an order from this Court to change the entries to "Sealed Document Only," which will cause the numbers to appear on the public docket. The impacted docket numbers are: 357-359 and 373-383.

We have sought consent from all parties, but have not yet heard back from Ms. Kubitschek who represents the appellants. All other parties have expressed consent.

We ask that this request be "so ordered."

Very truly yours,



Carl J. Schaerf (CS 5031)  
Bruce Strikowsky (BS 8791)

FOR SCHNADER HARRISON SEGAL & LEWIS LLP

CJS:cpm